

### **REMARKS**

Reconsideration is requested.

Applicant acknowledges the interview that occurred on August 24, 2006, between the Examiner and attorneys, Deepak Malhotra and David J. Kaplan. No agreement was reached.

Applicant notes the definition of "new matter" provided in MPEP §2163.07, entitled "Amendments to Application Which Are Supported in the Original Description". This MPEP section states that "Amendments to an application which are supported in the original description are NOT new matter." This MPEP section clarifies the meaning of this statement in a subsection entitled "REPHRASING".

This subsection states that "Mere rephrasing of a passage does not constitute new matter." Accordingly, a rewording of a passage where the same meaning remains intact is permissible. *In re Anderson*, 471 F.2d 1237, 176 USPQ 331 (CCPA 1973). The mere inclusion of dictionary or art recognized definitions known at the time of filing an application would not be considered new matter.

Therefore, a one-to-one correspondence between terms in the claims and terms in the specification is not required.

Although Applicant's attorney believes that the previously presented claims are fully supported and are permissible rephrasing according to MPEP §2163.07, the claims have been replaced with new claims that do not use any of the terminology that the Examiner has found to be objectionable. This has been


done to expedite prosecution. Applicant reserves the right to use the language that the Examiner has rejected in future claim sets or in continuation applications.

An Information Disclosure Statement accompanies this amendment.

This application is in condition for allowance and the Examiner is requested to telephone the undersigned if the next Office Action will be one other than a Notice of Allowance

Respectfully submitted,

Dated: Aug, 28, 2006

By:   
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